IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA PITTSBURGH

DAVE WILLIAMS,		
Plaintiff,)	2:15-CV-00855-NBF
VS.		
DR. B. JIN,)	
Defendant	,)	
	j j	

MEMORANDUM ORDER

The present action was filed with this Court on July 1, 2015. The case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Rules of Court 72.C and 72.D.

Plaintiff Dave Williams filed a motion for partial summary judgment [ECF No. 51] and Defendant Byunghak Jin filed a motion for summary judgment [ECF No. 59]. The Magistrate Judge's Report and Recommendation filed on February 22, 2017 recommended that Plaintiff's motion for partial summary judgment [ECF No. 51] be denied and Defendant's motion for summary judgment [ECF No. 59] be granted. Service of the Report and Recommendation was made on all parties. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2 they had until March 13, 2017 to file objections. Plaintiff timely submitted objections to the Report and Recommendation [ECF No. 84], however they are without merit.

After a de novo review of the pleadings and documents in this case, together with the report and recommendation, the following order is entered:

IT IS HEREBY ORDERED that Plaintiff's motion for partial summary judgment [ECF

No. 51] is DENIED and Defendant's motion for summary judgment [ECF No. 59] is GRANTED.

IT IS FURTHER ORDERED that the Report and Recommendation [ECF No. 80] of Magistrate Judge Cynthia Reed Eddy is hereby adopted as the opinion of the district court.

By the Court,

s/Nora Barry Fischer
The Honorable Nora Barry Fischer
United States District Judge

Dated: March 22, 2017

cc: The Honorable Cynthia Reed Eddy United States District Court Western District of Pennsylvania

> DAVE WILLIAMS FY 3994 SCI Graterford P.O. Box 244 Graterford, PA 19426-0244

Counsel of record via CM-ECF